

INITIAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

REGARDING THE
CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5

ADOPTION OF THE 2003 UNIFORM PLUMBING CODE

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

The Office of Statewide Health Planning and Development (OSHPD) is mandated to adopt the most recent edition of model code, as amended by the Office, pursuant to Health and Safety Code Section 18928. This proposed rulemaking represents the Office's proposal to adopt the 2003 Uniform Plumbing Code (UPC) published by International Association of Plumbing and Mechanical Officials (IAPMO) and carry forward existing California amendments of the 2001 California Plumbing Code (CPC). It was also necessary to propose a few editorial and minor technical modifications to the existing requirements for clarification and consistency within the code as identified below:

Chapter 1

Section 101.17

The Office of Statewide Health Planning and Development promulgates and enforces regulations for hospitals and skilled nursing facilities (SNFs) in California. Historically, the California Building Code has included different requirements for hospital-based skilled nursing units than it has for freestanding SNFs on a hospital license and for separately licensed SNFs.

Section 72103, Title 22, CCR, defines "skilled nursing facility" as "a health facility or a distinct part of a hospital which provides continuous skilled nursing care and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis." This definition makes no distinction between skilled nursing services that are provided as a distinct part unit in an acute care hospital, as a distinct part in a freestanding building on the hospital license, or a freestanding separately licensed SNF. Therefore, the regulations that apply to skilled nursing services should be the same, regardless of the type of facility in which the services are provided.

The purpose for this change is to make the regulations for skilled nursing facilities the same, whether the facility is a freestanding separately licensed SNF, a freestanding SNF building on a hospital license, or a distinct part SNF unit in a hospital building.

Chapter 4

Sections 402.5 and 402.7 of the UPC have been repealed in the 2003 edition, therefore the OSHPD amendments are being repealed.

Table 4-2 is being amended to add Footnote 22. Some hospitals desire a lavatory located directly in the patient rooms so that nursing staff do not have to walk back to the nurses' station handwashing fixture to wash after performing certain tasks. These patient room lavatory fixtures are "bonus fixtures" not required by code. However, when these fixtures are provided, they must meet the same functional requirements as the required handwashing fixture at the nurse station to prevent nursing staff from spreading infections to patients. Specifically, the faucets for these lavatories cannot have conventional lever or handle controls, but must be the type of controls not requiring direct contact of the hands for operation.

This modification will require lavatories located directly in patient rooms have hands-free type controls and a gooseneck faucet as is currently required for handwashing fixtures. This will ensure that "bonus fixtures" which exceed the minimum number required by code will not increase hospital patient infection rates and compromise patient healthcare.

Chapter 6

Based on public safety concerns, OSHPD will not allow usage of PEX-AL-PEX until an evaluation and analysis of this product can be performed and OSHPD can be assured that there are no public safety and environmental concerns associated with this product. The Office is proposing not to allow the use of PEX-AL-PEX piping in health care facilities.

Chapter 8

The 2003 UPC is consistent with 2003 Uniform Mechanical Code regarding the condensate drain sizing. Therefore, OSHPD amendment Section 815.2.1 is no longer necessary and is being repealed.

Chapter 10

Due to use of new language in 2003 Uniform Plumbing Code, OSHPD is modifying the language used in OSHPD amendment Section 1014.1 to be consistent with the model code.

Chapter 13

Due to renumbering of the Sections in Chapter 13, 2003 Uniform Plumbing Code, OSHPD amendment regarding not adopting the Chapter 13 and adoption of NFPA 99, 2002 is being moved to Section 1301.2.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

There are no documents to identify.

CONSIDERATION OF REASONABLE ALTERNATIVES

There are no alternatives to be considered by OSHPD.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

This proposal will not impose an adverse economic impact on small businesses.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

This proposal will not impose an adverse impact on businesses.